1/19/75

Mr. Walter King and
Mr. Donald Freed

Dear both,

First, an explanation of this delay in responding to the letter dated 1/7 and the undated card:

Aside from what keeps a one-man publisher too busy, I was involved in a second auto accident during a snowstorm the day before the letter. It made many problems, marooned me for a short period away from home, and has left me with more of an accumulation and kept me away from Washington until all repairs are completed on my car. This now means the delivery of body parts.

Earlier today I did phone Dave Polland. He is out of town for about another week. I'll update him with a carbon of this for his return. I will also be in Washington in early February and will attempt to get together with him then.

The clarifications of 1/7 are helpful, thanks.

Until I can speak to Dave, my immediate question is what is the producer's gross? This figure means nothing to me. Thus any percentage of it also means nothing. It may be a norm of the lives of movie people, but I don't even know who or what is encompassed by "producer," leave alone what is charged against income prior to "gross," if anything. Don can perhaps better understand my concern here from my experience with Oswald In New Orleans. I accepted a deal which made me "co-publisher." As a result I never got a penny from the book and it is the only one of my books printed that is out of print.

The real question is not whether 1% of "producer's net" is better or poorer than 1/2 % of "producer's gross receipts." It is what either means. However, I can, I think, assume that time will clarify these things.

I do think this and the major question will both be addressed by what seems to be satisfactory, the negotiation of a minimum guarantee after Anako Productions is incorporated, which now seems to be less than six weeks away. This assured minimum is what does have meaning to me.

I have not read either The Glass House Tapes or Big Brother and the Holding Company. In fact, I do not have either. The reason, if Don does not understand it, comes from the nature of the life I lead and the amount of work I try to do. I do not consciously use the work of others and I really have no time for reading not essential to my own work. I do not, in fact, have enough time for that.

If I do not consider Don a male chauvenist pig when he signs himself "signed you [sic] Oral Historian" and am reasonably certain, from what I have seen od Don, that my life may have been blighted by not having ever met Barbara Morris Freed, my concern about the oral historian as I now recall it and believe was and is that the interviewer and the interview(s) be tough and definitive and not in any sense sycophantic.

If I have not heard from you by the time I can speak to Dave, I will write after I can, unless he does.

The Supreme Court has not yet decided whether to grant cert to the State's appeal from the precedent of discovery under habeas corpus. The judge has not yet decided if he is going to grant a "new" trial. The State copped out on written rebuttal. I take this to mean that it could not rebut.

Sincerely,

Harold Weisberg